

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

Before the Illinois Commerce Commission

ILLINOIS
COMMERCE COMMISSION

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CHIEF CLERK'S OFFICE

In the Matter of:

Request of OneStar Long)
Distance, Inc. to Clarify)
The Commission's Records)
In Light of the Liquidation)
Of Network One)

Docket No.

02-0693

**Request of OneStar Long Distance, Inc.
To Clarify the Commission's Records
In Light of the Liquidation of Network One**

I. Introduction

On July 20, 2001, OneStar Communications, LLC ("OneStar-Com") filed an application with the Illinois Commerce Commission ("Commission") for a Certificate of Interexchange Authority to operate as a reseller of telecommunications services in the State of Illinois.

It was contemplated that upon the approval of the certification filing by this Commission, its sister public service commissions throughout the country, and the Federal Communications Commission, that OneStar-Com, OneStar Long Distance, Inc. ("OneStar-LD"), and CRG International, Inc. d/b/a Network One ("Network One"), would notify this Commission of their intention to effectuate an agreement whereby the assets and control of OneStar-LD and Network One would be transferred to the newly formed entity, OneStar-Com. Upon approval of the transfer of assets and control ("Transfer"), OneStar-Com would be the provider of telephone service to the customers of OneStar-LD and Network One, and that both OneStar-LD and Network One would cease operating as public utilities and their existence would be terminated.

Before all of the requisite regulatory approvals had been obtained (and thus before the transactions contemplated above could be lawfully effected¹), Network One ceased doing business and liquidated its assets pursuant to Chapter 7 of the U.S. Bankruptcy Code. This Commission was notified of this unexpected turn of events by counsel for Network One via a letter dated April 17, 2002. As a result of Network One's Chapter 7 filing, it ceased operating as a provider of telephone service. In a number of states OneStar-LD offered to provide service to

¹ As is typically the case where a carrier holds certification or other operating authority in multiple states, approvals of applications for transfer of assets trickle in over several months. However, since assets are governed by multiple states, the assets cannot be transferred until approval has been obtained by all states. The classic example is that a switch located in Indiana is subject to the jurisdiction of every state public service commission that has issued OneStar-LD or OneStar-Com a certificate of public convenience or similar authority.

the former customers of Network One, and many have accepted that offer. Others have chosen another provider.

II. Requests

A. Requests Being Made of the Various Public Service Commissions

As noted above, Network One has determined to cease operations rather than to contribute its assets to OneStar-Com. Thus, there is no longer any reason for OneStar-LD to contribute its assets to OneStar-Com. Since OneStar-Com was established solely for the purposes of effectuating the transaction described in the Transfer, there is no longer any reason for OneStar-Com's existence and, accordingly, OneStar-Com will cease to exist.

OneStar-LD therefore is making a filing with this Commission and a majority of the state public service commissions around the country designed to (i) clarify that OneStar-LD will continue to operate as a public utility, (ii) clarify that OneStar-Com will not be operating as a public utility, and (iii) consolidate the certifications issued to OneStar-LD and OneStar-Com with OneStar-LD. In order to accomplish these goals, OneStar-LD is requesting generally of each state commission that:

1. The commission's records reflect that the transaction described in the Transfer was not effectuated and that OneStar-Com will cease to exist.
2. The commission's records reflect that to the extent the Commission has previously granted operating authority to OneStar-LD, that OneStar-LD will continue to operate as OneStar-LD.
3. To the extent that a commission has granted a certificate or other operating authority to OneStar-Com that OneStar-LD does not itself currently have (such authority being requested in order to serve the customers that will now remain with OneStar-LD) that such certificate be transferred on a pro forma basis to OneStar-LD.
4. To the extent that a commission has granted to OneStar-Com a certification or other authority that is duplicative of an authority that the commission had previously issued to OneStar-LD, that such certificate or authority be cancelled.
5. To the extent an application for certification or authority is pending on behalf of OneStar-Com, which is duplicative of an authority that OneStar-LD already has, that such application be dismissed.
6. To the extent an application for certificate or authority is pending on behalf of OneStar-Com which is not duplicative of an authority that OneStar-LD already has, that such application be granted in the name of OneStar-LD.

B. Authorities or Certifications Previously Granted to OneStar-LD and OneStar-Com By This Commission

This Commission has previously granted OneStar-LD authority to operate as an interexchange carrier.²

This Commission has also granted OneStar-Com interexchange authority.³

C. Request of This Commission

Accordingly, OneStar-LD requests that this Commission;

1. Reflect in its records that the transaction contemplated by the Transfer was not effectuated.
2. Reflect in its official records that OneStar-LD will continue to operate pursuant to the interexchange authority previously granted to it (as described and cited above).
3. Cancel the interexchange authority previously granted to OneStar-Com (as described and cited above).
5. Take such other actions as the Commission deems appropriate given the facts and circumstances of this case.

Out of an abundance of caution, OneStar-LD has filed its request in this state and in sister states in the style of a formal pleading that contemplates the establishment of a docket and the issuance of a Commission order. However given (i) the pro forma nature of the requests, (ii) that the relief sought is essentially administrative in nature (permitting the simplification of the Commission's records and the minimization of the number of annual reports, tariff and other filings that the Commission will receive and have to review each year), and (iii) that grant of the requests will simplify the information that must be provided to consumers on invoices (reflecting the existence of only one operating company, not two), OneStar-LD believes that these requests are administrative in nature. Accordingly, OneStar-LD would prefer that these matters be handled without the opening of a formal proceeding if possible. This would enable OneStar-LD to rationalize its internal records, its tariffs, and communications to customers without delay.

III. Contact Information

Correspondence or communications pertaining to this filing should be directed to:

² See Docket No. 93-0421

³ See Docket No. 01-0509

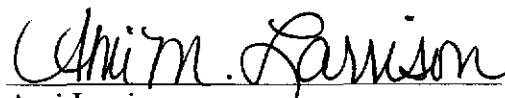
Ami Larrison
Director of Regulatory Affairs
7100 Eagle Crest Boulevard
Evansville, IN 47715
Tel: 812-437-7790
Fax: 812-437-7988
Email: alarrison@onestarld.com

IV. Conclusion/Public Interest

In light of Network One's bankruptcy filing, OneStar-LD believes that the public interest will be served by the simplification and clarification of the Commission's records requested by this filing and that there are no adverse public interest ramifications of grant of this request.

OneStar-LD has filed this request for clarification of the Commission's internal records to reflect the fact that the proposed merger of interests of OneStar-LD and Network One did not and will not occur. OneStar-LD also desires to simplify the Commission's records to reflect that in the future, OneStar-LD (and not some combination of OneStar-LD and/or OneStar-Com) will be the company that delivers telephone service to end users. OneStar-LD believes that this clarification is functionally administrative and pro forma in nature and should not require formal Commission action in the majority of states throughout the U.S. However, out of an abundance of caution OneStar-LD has sought to provide sufficient information in this filing as to enable the Commission to act on this information as an application if necessary. However before proceeding in this manner or initiating a formal proceeding, OneStar-LD respectfully requests that Commission Staff contact the undersigned by telephone or email.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ami Larrison".

Ami Larrison
Directory of Regulatory Affairs

Date: October 8, 2002

Affidavit
"Veracity of Statements"

State of: Indiana

City of: Evansville

County of: Vanderburgh

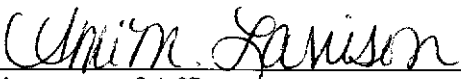
Ami M. Larrison, Affiant, being duly sworn according to law, deposes and says that:

She is the Director of Regulatory Affairs of OneStar Long Distance, Inc.;

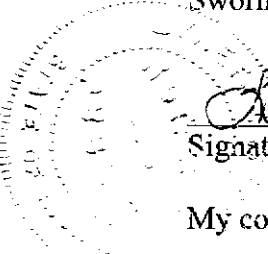
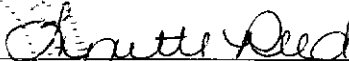
That she is authorized to and does make this affidavit for said Applicant;

That OneStar Long Distance, Inc., the Applicant herein, certifies under penalty of false statement that all statements made in the Request to clarify the Commission's records in light of the liquidation of Network One are true and complete. The Applicant will also amend the Request, while the Request is pending, if any substantial changes occur regarding the information provided in the application within ten days of any such change.

That the Facts above set forth are true and correct to the best of her knowledge, information, and belief and that she expects said Applicant to be able to prove the same at any hearing hereof.


Signature of Affiant

Sworn and subscribed before me this 23rd day of October, 2002.



Signature of official administering oath

Lynette Reed, Notary
Print name and title

My commission expires 2-22-08.